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WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

MARQUIS M. SCOTT

CIVIL ACTION 11-2137

VERSUS

JUDGE JAMES T. TRIMBLE, JR.

RAPIDES PARISH DETENTION  
CENTER II AND III

MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

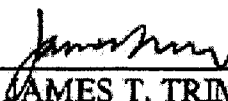
There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the magistrate judge previously filed herein, the Court concludes that the proposed findings and recommendation are correct under the applicable law.

Additionally, the Court notes the copy of the report and recommendation mailed October 18, 2012 to Mr. Scott's last known address was returned to the Clerk of Court on November 05, 2012, marked "return to sender". More than thirty days have passed since November 05, 2012, but no correction to Plaintiff's address has been received by the Court. Therefore, dismissal for failure to prosecute under Local Rule 41.3W and Rule 41(b) of the Federal Rules of Civil Procedure is also appropriate. Accordingly,

IT IS ORDERED that the Plaintiff's claims be and are hereby DENIED and DISMISSED WITH PREJUDICE for failure to state a claim for which relief can be granted, pursuant to 28 U. S. C. §1915(e)(2)(b).

The Clerk of Court is instructed to send a copy of this Judgment to the keeper of the three strikes list in Tyler, Texas.

SIGNED on this 8<sup>th</sup> day of January, 2013, at Alexandria, Louisiana.

  
JAMES T. TRIMBLE, JR.  
U.S. DISTRICT JUDGE